



# APPENDIX C

## DELEGATION OF CARE

[www.kdhe.state.ks.us/c-f/special\\_needs\\_part2.html](http://www.kdhe.state.ks.us/c-f/special_needs_part2.html)



1000 SW Jackson, Suite 200  
Topeka, KS 66612-1274  
785.296.1300 785.296.4166 (fax)

**CHANGES IN THE KANSAS NURSE PRACTICE ACT**

K.S.A. 65-1124. Acts which are not prohibited. No provisions of this law shall be construed as prohibiting:

- (k) performance in the school setting of selected nursing procedures, as specified by rules and regulations of the board, necessary for handicapped students; or
- (l) performance in the school setting of selected nursing procedures, as specified by rules and regulations of the board, necessary to accomplish activities of daily living and which are routinely performed by the student or students' family in the home setting.

**ELEMENTARY AND SECONDARY SCHOOLS ACCREDITATION  
REGULATIONS:**

**Regulations Applicable to All Schools**

91-31-3. Policies and program.

- (f) **Health services.** Basic hearing screening, free dental inspection, and basic vision screening, are necessary health services for a student to remain in attendance at school. School districts providing other health services shall:
  - (1) Have available a licensed health care professional responsible for providing the health services, or training others to provide the services, or both;
  - (2) adopt policies related to the provision of health services; and
  - (3) provide the training necessary to comply with K.S.A. 65-1124 as amended by L. 1987, Ch. 234, Sec. 1 for those who are not licensed health care professionals but have been delegated the responsibility of providing emergency and other health services.

**REGULATIONS ON THE PERFORMANCE OF SELECTED NURSING  
PROCEDURES IN SCHOOL SETTINGS**

**60-15-101. Definitions.** (a) Each registered nurse in the school setting shall be responsible for the nature and quality of all nursing care that a student is given under the direction of the nurse in the school setting. Assessment of the nursing needs of a student, the plan of nursing action, implementation of the plan, and evaluation of the plan are to be considered essential components of professional nursing practice and shall be the responsibility of the registered nurse.

(b) In fulfilling nursing care responsibilities, any nurse may perform the following:

- (1) Serve as a health advocate for students receiving nursing care;
- (2) counsel and teach students, families, and groups about health and illness;
- (3) promote health maintenance;
- (4) serve as a health consultant and a resource to teachers and administrators who are providing students with health services during school attendance hours, and
- (5) utilize nursing theories, communication skills, and the teaching-learning process to function as a part of the interdisciplinary evaluation team.

(c) The services of a registered professional nurse may be supplemented by the delegation of selected nursing tasks or procedures to unlicensed personnel under supervision by the registered professional nurse.

(d) "Unlicensed persons" means anyone not licensed as a registered professional or licensed practical nurse.

(e) "Delegation" means authorization for an unlicensed person to perform selected nursing tasks or procedures in the school setting under the direction of a registered professional nurse.

(f) "Activities of daily living" means basic caretaking or specialized caretaking.

(g) "Basic caretaking" means the following tasks:

- (1) bathing;
- (2) dressing;
- (3) grooming;
- (4) routine dental, hair and skin care;
- (5) preparation of food for oral feeding;
- (6) exercise excluding occupational therapy and physical therapy procedures;
- (7) toileting including diapering and toilet training;
- (8) handwashing;
- (9) transfer; and
- (10) ambulation.

(h) "Specialized caretaking" means the following procedures:

- (1) Catheterization;
- (2) ostomy care;
- (3) preparation and administration of gastrostomy tube feedings;
- (4) care of skin with damaged integrity or potential for this damage;
- (5) administration of medications; and
- (6) performance of other nursing procedures as selected by the registered professional nurse.

(i) "Anticipated health crisis" means a previously diagnosed condition which under predictable circumstances may lead to an imminent risk to the student's health.

- (j) "Investigational drug" means a drug under study to determine safety and efficacy in humans for a particular indication under 21 C.F.R. Part 213, as in effect on April 1, 1997.
- (k) "Nursing judgment" means the exercise of knowledge and discretion derived from the biological, physical and behavioral sciences that requires special education or curriculum.
- (l) "School attendance hours" means those hours of attendance as defined by the local educational agency or governing board.
- (m) "School setting" means any public or nonpublic school learning environment during regular school attendance hours, except those settings falling within the provisions of B.S.A. 1997 Supp. 65-1124, and amendments thereto.
- (n) "Supervision" means provision of guidance by a nurse as necessary to accomplish a nursing task or procedure, including initial direction of the task or procedure and periodic inspection of the actual act of accomplishing the task or procedure.
- (o) "Medication" means any drug required by the federal or state drug and cosmetic acts to bear on its label the legend "Caution: Federal law prohibits dispensing without prescription", and any drugs labeled as investigational drugs or prescribed for investigational purposes.
- (p) "Task" means an assigned step of a nursing procedure.
- (q) "Procedure" means a series of steps followed in a regular, specific order that is part of a defined nursing practice. (Authorized by implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-0-12-88, Sept. 12, 1988; amended Feb. 13, 1989; amended Sept. 2, 1991; amended Sept. 11, 1998.)

**60-15-102. Delegation procedures.** Each registered professional nurse who delegates nursing tasks or procedures to a designated unlicensed person in the school setting shall comply with the following requirements.

- (a) Each registered professional nurse shall perform the following:
  - (1) Assess each student's nursing care needs;
  - (2) formulate a plan of care before delegating any nursing task or procedure to an unlicensed person; and
  - (3) formulate a plan of nursing care for each student who has one or more long-term or chronic health condition(s) requiring nursing intervention.
- (b) The selected nursing task or procedure to be delegated shall be one that a reasonable and prudent nurse would determine to be within the scope of sound nursing judgment and that can be performed properly and safely by an unlicensed person.
- (c) Any designated unlicensed person may perform basic caretaking tasks or procedures as defined in K.A.R. 60-15-101(b) without delegation. After assessment, a nurse may delegate specialized caretaking tasks or procedures as defined in K.A.R. 60-15-101 (b) to a designated unlicensed person.
- (d) The selected nursing task or procedure shall be one that does not require the designated unlicensed person to exercise nursing judgment or intervention.
- (e) When an anticipated health crisis that is identified in a nursing care plan occurs, the unlicensed person may provide immediate care for which instruction has been provided.
- (f) The designated unlicensed person to whom the nursing task or procedure is delegated shall be adequately identified by name in writing for each delegated task or procedure.

- (g) The registered professional nurse shall orient and instruct unlicensed persons in the performance of the nursing task or procedure. The registered professional nurse shall document in writing the unlicensed person's demonstration of the competency necessary to perform the delegated task or procedure. The designated unlicensed person shall co-sign the documentation indicating the person's concurrence with this competency evaluation.
- (h) The registered professional nurse shall meet these requirements:
  - (1) Be accountable and responsible for the delegated nursing task or procedure;
  - (2) at least twice during the academic year, participate in joint evaluations of the services rendered;
  - (3) record services performed; and
  - (4) adequately supervise the performance of the delegated nursing task or procedure in accordance with the requirements of K.A.R. 60-15-103 of this article. (Authorized by and implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-9-12-88, Sept. 12, 1988; amended Feb. 13, 1989; amended Sept. 2, 1991; amended Sept. 11, 1998.)

**60-15-103. Supervision of delegated tasks or procedures.** Each registered professional or licensed practical nurse shall supervise all nursing tasks or procedures delegated to a designated unlicensed person in the school setting in accordance with the following conditions.

- (a) The registered professional nurse shall determine the degree of supervision required after an assessment of appropriate factors, including the following:
  - (1) The health status and mental and physical stability of the student receiving the nursing care;
  - (2) The complexity of the task or procedure to be delegated;
  - (3) The training and competency of the unlicensed person to whom the task or procedure is to be delegated; and
  - (4) the proximity and availability of the registered professional nurse to the designated unlicensed person when the selected nursing task or procedure will be performed.
- (b) The supervising registered professional nurse may designate whether or not the nursing task or procedure is one that may be delegated or supervised by a licensed practical nurse.
- (c) Each delegating registered professional nurse shall have a plan to provide nursing care when the delegating nurse is absent. (Authorized by and implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-9-12-88, Sept. 12, 1988; amended Feb. 13, 1989; amended Sept. 2, 1991; amended Sept. 11, 1998.)

**60-15-104. Administration of medications in the school setting.** A registered professional nurse shall delegate the procedure of administering medications only in accordance with K.A.R. 60-15-101 through K.A.R. 60-15-103.

- (a) A registered professional nurse may delegate the procedure of administering medications to unlicensed persons if all of these conditions are met.
  - (1) The initial dose of a medication has been previously administered to the student.
  - (2) The administration of the medication does not require dosage calculation. Measuring a prescribed amount of liquid medication or breaking a scored tablet for administration shall not be considered calculation of the medication dosage.

- (3) The nursing care plan requires administration by accepted methods of administration other than those listed in subsection (b).
- (b) the registered professional nurse shall not delegate the procedure of administering medication to an unlicensed person when administered by any of these means:
  - (1) By intravenous route.
  - (2) by intramuscular route, except when administered in an anticipated health crisis;
  - (3) through intermittent positive pressure breathing machines; or
  - (4) through any tube inserted into the body, except through an established feeding tube directly inserted into the abdomen. (Authorized by and implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-9-12-88, Sept. 12, 1988; amended Feb 13, 1989; amended Sept. 2, 1991; amended Sept. 12, 1988; amended Feb. 13, 1989; amended Sept 2, 1991; amended Sept. 11, 1998.)<sup>1</sup>

## DELEGATION OF NURSING TASKS

### General Guidelines

#### I. School Policy: Important points

- A. Requirements from the Kansas State Department of Education accreditation regulations (91-31-3(f)) are for districts to adopt policies on the provisions of health services.
- B. Policy is global statement governing the actual school procedures.
- C. Procedures or administrative regulations outline the process the district is to follow.
- D. In the absence of R.N.: (illness, out of school for professional development or staff meetings, etc.)
  - 1. Designate an alternate nurse in advance. Suggestions include contracting with:
    - a. County health department
    - b. Local doctor's office or hospital nurse
    - c. General nurse in community
  - 2. Prepare written materials for alternate. Suggestions include:
    - a. Local policy on delegation
    - b. All other policies, procedures, regulations that relate to health care in district
    - c. All relevant forms, i.e., documentation of training, documentation of competencies, documentation of administration of tasks.
    - d. Job description

#### II. Teaching and Delegating: (Based on K.A.R. 60-15-102)

- A. May be done with a group, i.e. all school secretaries in district.
- B. May be done 1:1, i.e. secretary, teacher or para as need presents.
- C. Considerations for the R.N.:
  - 1. Health status of student(s).
  - 2. Complexity of care required.

3. Individual delegate's competencies to perform task.
  4. Availability and proximity of R.N. when task(s) is to be done.
- D. Examples of tasks that may be taught in a group situation:
1. Medication administration
  2. Simple first aid care.
  3. Actions for minor illness care.
- E. Tasks for students with special health care needs requiring special, complex procedures should be taught in a 1:1 basis to the unlicensed school person to whom delegation will occur.
- F. Example of Teaching module - Medication Administration: (Based on K.A.R. 60-15-104 and Medication Administration Guidelines)
1. Define goal: This session is designed to teach the basic concepts and process of medication administration to unlicensed school personnel.
  2. Define objectives: The participants will be able to;
    - a. Correctly identify the student(s) for whom medication is to be given.
    - b. Identify the medication that is designated for the student.
    - c. Demonstrate correct administration of the medication by the appropriate route.
    - d. Determine side effects using appropriate resources and take corrective action.
    - e. Document medication on the correct form.
    - f. Insure proper storage of medication in the school setting.
  3. Outline process for Administration of Medications
    - a. Determine the presence of a physician's order to administer. (Physician's orders may be maintained in a locked central office file or on individual student health records.) Determine presence of signed parent permission slip.
    - b. Identify the right student to receive the prescribed medication by asking the student to identify himself/herself by name. Check against medication order.
    - c. Insure that the correct dosage is given at the right time. Both the original pharmacy container and the physician's order should specify dosage to be given. Check the container and the order to be certain



of dosage. Dosage calculation should not be undertaken by an unlicensed person. Contact the R.N. if any calculations are required. (Measuring or breaking a tablet is not dosage calculation.)

- d. For administration of oral medication, pour the medication, hand to student and observe student swallow the medication.
- e. Observe the student for twenty minutes after administration of medication. If student returns to classroom, the classroom teacher may observe for side effects. (A current **Physician's Desk Reference** is a good resource for determining side effects of medication. A pharmacist is also a good resource person to contact for information.)
- f. Document the medication on the individual student medication log. Documentation on the student's cumulative student health folder should be done if special problems arise with the medication. At the end of each school year, or periodically through the year, medication logs should be filed in the permanent cumulative health record.
- g. If problems or side effects occur after medication has been administered, notify the school nurse or his/her alternate immediately.
- h. Store all medication in a locked area. For refrigerated medication, a locked container can be maintained inside the appliance.

4. Role Play Demonstration

- a. R.N. teaching this module will ask for volunteers to play part of student and part of unlicensed person.
- b. R.N. will demonstrate the correct procedure, as outlined in 3, a-h above.
- c. R.N. will then ask for each person in session to correctly demonstrate the administration of medication.
- d. R.N. and each unlicensed person in session will sign documentation verifying that unlicensed school personnel have received instruction and have demonstrated basic competencies to carry out medication administration.

III. Supervision of Nursing Tasks: (Based on K.A.R. 60-15-103)

A. At R.N.'s discretion and should be based on:

- 1. Student's health status.
- 2. Complexity of care required.
- 3. Competency of unlicensed person to perform task.

4. Proximity of R.N. to location where task is being performed.

B. Examples of periodic supervision:

1. Daily for the first week of care for suctioning and tracheostomy care. If unlicensed person performs competently and student is stable, supervision may be reduced to weekly or even less frequently.
2. Daily for first three days for catheter irrigation and if competency is demonstrated, and student is stable, every two weeks thereafter.
3. Weekly for administration of Ritalin the first month, then quarterly thereafter if competency is demonstrated and student is stable.
4. General medication administration have all to whom this responsibility has been delegated, demonstrate competency at least twice a year.

IV. Nursing Care Plan: (Based on K.S.A. 65-102 (a))

A. Maintain in each attendance center.

B. Make accessible only to those who need the information.

C. Categories (See sample form)

1. Identifying information: including diagnosis, physician and phone number, medications or other tasks prescribed.
2. Nursing assessment of student health status.
3. Nursing needs/diagnosis.
4. Nursing plan of action and specified supervision.
5. Evaluation.
6. Revisions of plan.
7. Dates of supervision.

D. Develop on all students requiring specialized procedures.

V. Documentation: (Bases on K.A.R. 65-15-102 a, e, f, g)

A. Basic assumption: if it hasn't been documented, it wasn't done.

B. May be used in court of law.

C. Process:

1. Ensure record confidentiality through local policy. Specify who has access to health records.
2. Document nursing instructions and supervision provided to unlicensed school personnel (see sample form).
3. Document all care given to student.
  - a. Daily general log in cases such as taking temperatures and disposition. (see "Sample General Daily Health Log").
  - b. All medication given at school (see sample form "Medications Given at School").
  - c. All delegated nursing tasks (see sample form "Documentation of Nursing Tasks Delegated to Unlicensed School Personnel").
4. Document all instruction provided by the R.N. to unlicensed school personnel (see sample form "Documentation of Instruction from the Registered Nurse to Unlicensed School Personnel").
5. Document all supervision provided (see bottom portion of form entitled "Documentation of Instruction from the Registered Nurse to Unlicensed School Personnel").
6. Registered nurse completes nursing care plan on each student requiring specialized care with frequency of supervision specified.

Sample

Documentation of Instruction  
from the Registered Nurse to  
Unlicensed School Personnel

Instructions: This form should be completed and maintained in a central school office file whenever any nursing instruction, delegation of nursing tasks to unlicensed school personnel and supervision occur.

The undersigned non-nursing school personnel have been instructed in \_\_\_\_\_ and have satisfactorily demonstrated

(Identify Nursing Tasks)

the ability to carry out the identified nursing task(s). Both the registered nurse and the unlicensed person agree that the task(s) can be safely delegated and carried out by the unlicensed person designated below with periodic supervision at the discretion of the registered nurse.

\_\_\_\_\_  
(Signature of unlicensed School Personnel)

\_\_\_\_\_  
(Signature of Registered Nurse  
Providing Instruction)

\_\_\_\_\_  
(Date of Instruction)

Documentation of Supervision by the Registered Nurse to Non Nursing School Personnel

\_\_\_\_\_  
(Signature of Unlicensed Person)

Initials \_\_\_\_\_

\_\_\_\_\_  
(Signature of Supervising Nurse)

Initials \_\_\_\_\_

Dates of Supervision	Initials of Both Parties		Comments

# SAMPLE NURSING CARE PLAN

Student Name	Class/Grade	Physician	Phone #	Date Plan	Physician Diagnosis
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Physician Prescribed Treatments and/or Medication:

Nursing Assessment (History, Screening and/or physical assessment information)	Nursing Needs/ Diagnosis	Nursing Plan of Action	Evaluation of Plan and Date	Revisions in Plan	Supervision of Unlicensed Personnel Dates
					www.kdhe.state.ks.us/c-f/special_needs_part2.html

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Sample

Documentation of Nursing Tasks  
Delegated to Unlicensed  
School Personnel

School \_\_\_\_\_ USD \_\_\_\_\_ Student \_\_\_\_\_

Teacher \_\_\_\_\_ Grade \_\_\_\_\_

Physician \_\_\_\_\_ Phone Number \_\_\_\_\_

Treatment Prescribed (Task) \_\_\_\_\_

# Days to be Given at School \_\_\_\_\_ Potential Hazards \_\_\_\_\_

Initial Nursing Assessment \_\_\_\_\_

Date of Initial Instruction \_\_\_\_\_ Date Care Began \_\_\_\_\_

Signature of Delegating Nurse \_\_\_\_\_

(Name and Title)

Signature of Unlicensed School Personnel \_\_\_\_\_

Name and Title

Initials

Log of Nursing Task Provided at School  
by Written Physician Order

Date	Time	Student	Administered by (Initials)	Comments	Date of RN Supervision

School Attendance Center \_\_\_\_\_  
Date \_\_\_\_\_

[illegible]

**Note:** This form should be used for documentation on the incidental minor illness care and minor injuries where minimal care and interventions have occurred. The form is intended for use by unlicensed school personnel and information would not necessarily be transferred to the student health record. Records should be maintained for five years.

Documentation of Nursing Tasks Provided in the School Setting

Care Provided to: \_\_\_\_\_ School: \_\_\_\_\_  
(Print Name of Student)

Care Provided by: \_\_\_\_\_ (Initials)  
(Print Name and Title)

Description of Care Being Provided: \_\_\_\_\_

Complete information below by time on top half of square in appropriate box and by initials of care provider on bottom half of square. (Care could include medication, catheterizing, auctioning, etc.)

	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
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**SAMPLE SCHOOL POLICY**

**Board Policy for USD 000**

**Delegation of Nursing Tasks**

**Code III**

**Delegation of Nursing tasks to unlicensed persons in the school setting will take place only under the procedures as set forth in the Administrative Regulations attached.**

**Adopted September 1, 1989**

SAMPLE ADMINISTRATIVE REGULATIONS

Code III

USD 000

Education City, Kansas

USD 000 will insure that a licensed registered professional nurse will be available in this district at all times. In the absence of the registered nurse employed by the district, a registered nurse will be designated, in advance, to supervise nursing care provided to the district.

The registered nurse will be informed of all situations that require health services in the district. The nurse will, in turn, determine the health status of the pupil, the complexity of care required and decide whether to delegate the nursing task to an unlicensed person.

The registered nurse will develop a Nursing Care Plan, provide orientation and instruction to the designated unlicensed school person and determine adequate competency to perform the delegated tasks. Documentation of instruction and demonstration of competency to perform the nursing task is required on form #0 (attached). Both parties involved must sign the form.

Periodic supervision of care will occur at the discretion of the registered nurse. The supervision will be documented on form #0 (attached).

The registered nurse is responsible for all care delegated to an unlicensed person. He/she may decide that circumstances in a given situation may prevent delegation from occurring. In this case, the registered nurse or a person who is equally qualified shall be available to provide the prescribed care. When the registered nurse anticipates absence from the school district he/she shall notify the alternate nurse in advance. The alternate nurse will be apprised of all known specialized care situations with orientation as necessary. In the case of unexpected absence of the registered nurse, the building principal will contact the designated alternate nurse and provide he/her with the substitute school nurse packet and other information necessary to appropriately function. All care provided shall be documented on form #00 (attached). Complex health care shall also be documented on the student's cumulative school health folder, i.e. suctioning, ostomy care, etc.

Adopted September 1, 1992.

Related Health Services Versus General Health Services

<u>Special Education</u>	<u>Nursing Needs</u>		<u>General Education</u>
<p>A. Students are placed, by specific category, in a special education program. Categories are identified in the <u>State Plan for Special Education</u>.</p> <p>B. Placements may include students with chronic health problems (categorized in state plan as "other health impaired"). In this case, the following would occur:</p> <ol style="list-style-type: none"> <li>1. Referral</li> <li>2. Full Assessment</li> <li>3. Staffing and appropriate placement</li> <li>4. Development of IEP which includes related services when needed.</li> </ol>	IEP with related services specified	Individual Nursing Care Plan	<p>A. Chronic illness, minor health problems, injuries, etc. will usually not be referred for placement in special education programs. This is the case when general health services are the <u>only</u> needs in order to maintain the student in the regular classroom. Examples:</p> <ol style="list-style-type: none"> <li>a. Diabetes</li> <li>b. Colds and flu</li> <li>c. Fractures</li> <li>d. Asthma</li> </ol> <p>B. If the health problem interferes with student's ability to learn in the regular classroom (most likely would include students with chronic health problems, i.e. asthma, diabetes, seizure disorder, etc.), referral for special education placement would occur. In this case, health services would become <u>related services</u>.<sup>2</sup></p>

NOTES

1. Information on pages 2-5 from:

Kansas State Board of Nursing. *Kansas Nurse Practice Act, School Nurse Delegations Regulations*, Amended September 11, 1998.

2. Information on pages C-6 to C-18 adapted from:

Colorado Department of Public Health and Environment. (1995). *Procedure Guidelines for Health Care of Students with Special Needs in the School Setting*.

Kansas Department of Health & Environment: Bureau of Family Health. *Children, Youth and Families Health Services Manual: School Health Manual, Vol III*. (pp. 157-172).